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J Proctor

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Baumgart et al.)
Filed: October 20, 2000) Examiner: Cooney, J.M.
Serial No: 09/693,366) Group Art Unit: 1711
For: PEELABLE AND EXPANDABLE POLYMERIC)
COATING COMPOSITION)
Atty. Docket No.: AC207/2000)

Assistant Commissioner of Patents
Washington, D.C. 20231

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

January 16, 2003 (703) 872-9310
DATE FAX NO.

David W. Carrithers
(Typed or printed name of person signing the certification)

David Cawthon

TERMINAL DISCLAIMER OR ASSIGNEE

Dear Sir:

ASHLAND INC. a corporation organized ^{and} under the laws of
Kentucky, whose address is 3499 Blazer Parkway, Lexington, KY
40509, represents that it is the assignee and ^{the} exclusive owner

of the entire right, title, and interest of, in and to the above-identified pending U.S. Patent Application Serial No. 09/693,366 filed on October 20, 2000 for PEELABLE AND EXPANDABLE POLYMERIC COATING COMPOSITION, and the invention disclosed therein as indicated by the Assignment Records of the U.S. Patent and Trademark Office recorded at Reel/Frame 011738/0368 on April 20, 2001 and that ASHLAND INC. is also the assignee and the exclusive owner of the entire right, title, and interest of, in and to U.S. Patent Application Serial No. 09/815,874 filed on March 23, 2001 for a PEELABLE FOAM COATING COMPOSITION, and the invention disclosed therein as indicated by the Assignment Records of the U.S. Patent and Trademark Office recorded at Reel/Frame 011640/0432 on March 23, 2001;

ASHLAND INC. hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of copending U.S. Patent Application Serial No. 09/815,874 both of which have several common inventors to the instant above-identified application S.N. 09/693,366, and hereby agree that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to copending U.S. Patent Application Serial No. 09/815,874; this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successor or assigns.

Petitioner does not disclaim any terminal part of any patent

granted on the above-identified application prior to the expiration date of the full statutory term, as presently shortened by any terminal disclaimer of U.S. Patent Application Serial No. 09/815,874 in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

For submission on behalf of a corporation, the undersigned is empowered to act on behalf of the organization.

Please charge the statutory terminal disclaimer fee in the amount of \$110.00 under 37 CFR 1.20(d) to Counsel's Deposit Account No. 50-0642.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The undersigned is the attorney of record.

Respectfully submitted,

David W. Carrithers
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